

**GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA**

STARRED QUESTION NO:272

ANSWERED ON:21.03.2002

CONTESTING OF ELECTIONS BY PERSONS OF CRIMINAL BACKGROUND

RENUKA CHOWDHURY;VARKALA RADHAKRISHNAN

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) Whether the Election Commission has taken the view not to allow any person having criminal background to contest the election and have also given some suggestions to the Government in this regard;

(b) if so, the details thereof; and

(c) the reaction of the Government thereto alongwith the action taken by the Government thereon?

Answer

MINISTER OF LAW, JUSTICE & COMPANY AFFAIRS (SHRI ARUN JAITLEY)

(a) and (b): The Election Commission of India has suggested that any person who is accused of any offence punishable with imprisonment for five years or more should be disqualified even when his trial is pending, provided that the competent court of law has taken cognizance of the offence and framed the charges against him.

(c): The above proposal was discussed in the all-party meeting held on 13.9.2001 to discuss proposals on electoral reforms. The consensus in the aforesaid meeting was against the proposal.